

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

VICTOR SERAFIN QUINONES,

Case No. 3:19-cv-00120-MMD-CLB

Plaintiff.

ORDER

ROMEO ARANAS, *et al.*

Defendants.

11 Pro se Plaintiff Victor Serafin Quinones brings this action under 42 U.S.C. § 1983.
12 Before the Court is the Report and Recommendation (“R&R” or “Recommendation”) of
13 United States Magistrate Judge Carla L. Baldwin (ECF No. 52), recommending the Court
14 grant Defendants’ pending motions for summary judgment (ECF Nos. 42, 44) and enter
15 judgment in Defendants’ favor. Plaintiff had until December 29, 2021, to file an objection.
16 To date, no objection to the R&R has been filed. For this reason, and as explained below,
17 the Court adopts the R&R, and will grant the pending summary judgment motions.

18 The Court “may accept, reject, or modify, in whole or in part, the findings or
19 recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party
20 fails to object to a magistrate judge’s recommendation, the Court is not required to
21 conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas*
22 *v. Arn*, 474 U.S. 140, 149 (1985); see also *United States v. Reyna-Tapia*, 328 F.3d 1114,
23 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and
24 recommendations is required if, but *only* if, one or both parties file objections to the
25 findings and recommendations.”) (emphasis in original); Fed. R. Civ. P. 72, Advisory
26 Committee Notes (1983) (providing that the Court “need only satisfy itself that there is no
27 clear error on the face of the record in order to accept the recommendation.”).

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1 Because there is no objection, the Court need not conduct de novo review, and is
2 satisfied Judge Baldwin did not clearly err. Here, Judge Baldwin recommends granting
3 both pending summary judgment motions because Defendants presented evidence
4 sufficient to satisfy their initial burden to show they are entitled to summary judgment on
5 Plaintiff's remaining claims, and Plaintiff did not present any contrary evidence—or
6 respond to the motions despite being prompted to and then granted a *sua sponte*
7 extension of time to respond. (ECF No. 52.) The Court agrees with Judge Baldwin. Having
8 reviewed the R&R and the record in this case, the Court will adopt the R&R in full.

9 It is therefore ordered that Judge Baldwin's Report and Recommendation (ECF
10 No. 52) is accepted and adopted in full.

11 It is further ordered that Defendants' motions for summary judgment (ECF Nos.
12 42, 44) are granted.

13 It is further ordered that Does 1, 2, 3, and 4, and Claim III, are dismissed.

14 The Clerk of Court is directed to enter judgment accordingly—in Defendants'
15 favor—and close this case.

16 DATED THIS 6th Day of January 2022.



MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE